held, in Gans Salvage Co. *v.* Byrnes, use of Higgins (Md.) 1 L. R. A. (N. S.) 272, to assume the risk of injury from falling walls, where the peril is open and obvious.

Master and Servant—Assumption of Risk.—A youth sixteen years old is held, in Mundhenke *v.* Oregon City Mfg. Co. (Or.) 1 L. R. A. (N. S.) 278, to have assumed the risk of injury plainly apparent from coming in contact with exposed gears, thc gh not expressly warned of the danger.

Master and Servant—Duty to Furnish Safe Appliances—Independent Contractor.—The right of an employee to hold his master liable for injuries caused by the latter's breach of duty to furnish an independent contractor with safe appliances for the performance of the work is denied in Miller *v.* Moran Bros.' Co. (Wash.) 1 L. R. A. (N. S.) 283.

Master and Servant—Habits and Character of Servant.—The diligence required of a master to learn the habits or characters of servants employed with due care is held, in Southern P. Co. *v.* Hetzer (C. C. A. 8th C.) 1 L. R. A. (N. S.) 288, to be reasonable diligence and care only.

Chattel Mortgages—After-Acquired Stock.—Taking possession of after-acquired stock in trade, under a chattle mortgage is held, in Burrill *v.* Whitcomb (Me.) 1 L. R. A. (N. S.) 451, to give the mortgagee precedence on a subsequent attachment.

Municipal Corporations—Legislative Authority.—The right of a municipality to legislate on subjects covered by statutes is denied in Thrower *v.* Atlanta (Ga.) 1 L. R. A. (N. S.) 382, in the absence of express legislative authority.

Negligence—Degree of Care—Owners of Places of Amusement.—The measure of duty of the owner of a place of amusement with respect to safety of places provided for the patrons is declared, in Williams *v.* Mineral City Park Asso. (Iowa) 1 L. R. A. (N. S.) 427, to be the exercise of reasonable care, and not the high degree of care analogous to that which a carrier is bound to exercise at common law.

Nuisances—Lawful Business.—A business which is authorized by law, and properly conducted at an authorized place, is held, in Atchison, T. & S. F. R. Co. *v.* Armstrong (Kan.) 1 L. R. A. (N. S.) 113, not to be a nuisance, on the theory that whatever is lawful cannot be wrongful.

Nuisances—Legislative Sanction as Defense.—The power of the legislature to authorize a railroad company to create a private nuisance